

JUN 19 2006

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ZAFMAN (408) 720-9397 (Facsimile)
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Firm Name: U.S. Patent and Trademark Office
Fax Number: (571) 273-8300 (Central Facsimile Number)
From: Thomas S. Ferrill
Date: 6/19/06 Time: _____
Operator: _____ Matter: 006491.P042
Number of pages including cover sheet: 82

Message: Re: Application No. 09/941,358 filed 8/28/01
Attached please find an Information Disclosure Statement and cited art as previously
mailed to the PTO on September 22, 2004 as well as a PTO return postcard for the
above-referenced patent application.

CONFIDENTIALITY NOTE

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JUN 19 2006

PATENT

Docket No. 006491.P042

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Kwoktung B. Lo

Application No: 09/941,358

Filed: August 28, 2001

For: CUSTOMER PREMISES EQUIPMENT
AUTOCONFIGURATION)
) Examiner: Barot, Bharat
)
) Art Unit: 2155
)
) Confirmation No. 9189
)
) Date of NOA: 5/5/06
)
)
)Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RESUBMISSION OF INFORMATION DISCLOSURE STATEMENT PREVIOUSLY
SUBMITTED TO THE PTO**

Dear Sir:

A Notice of Allowance was mailed by the PTO on May 5, 2006 for the above-referenced patent application. The Notice of Allowance did not acknowledge considering an Information Disclosure Statements that was previously mailed to the PTO on September 22, 2004.

Applicants' attorney's office called the PTO on June 19, 2006 and spoke with Examiner Bharat Barot, who indicated that applicants' attorney needed to resubmit the Information Disclosure Statement in order for the art to be considered. A copy of this Information Disclosure Statement and art as filed on September 22, 2004 with the PTO return postcard is attached for consideration.

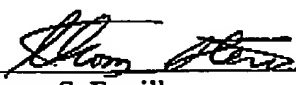
It is respectfully submitted that the attached Information Disclosure Statement and art be considered by the PTO before payment of the Issue Fee that is due on August 7, 2006.

PATENT

Applicants do not believe a \$180 fee is necessary since the Information Disclosure Statement fee was paid on September 22, 2004. However if there are any additional charges, please charge them to our Deposit Account Number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 6-19, 2006

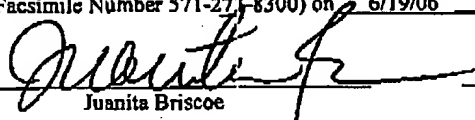

Thomas S. Ferrill
Reg. No. 42,532

Customer No. 008791
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office (Central Facsimile Number 571-271-8300) on 6/19/06

By


Juanita Briscoe

6/19/06

Date

JUN 19 2006

PATENT

Docket No. 006491.P042

Patent

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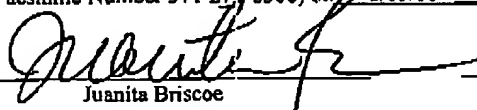

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By


Juanita Briscoe

6/19/06

Date

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SEP 29 2004

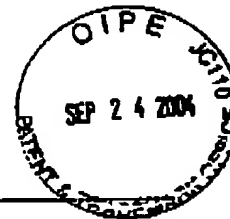
BLAKELY, SOKOLOFF, TAYLOR & ZARMAN LLP
LOS ANGELES

Application No.: 09/941,358 Filing Date: 8/28/2001 Docket #: 6491,P042
Date Mailed: 9/22/2004 Due Date(s): _____
Client: 2WIRE INC. Atty/Sec: TSF/GPH/ls
Title: Customer Premises Equipment Autoconfiguration

First Named Inventor: Kwoktung B. Lo*The following has been received in the U.S.P.T.O. on the date stamped hereon:*

Certificate of Mailing
Fee Transmittal (original & copy)
Information Disclosure Statement & PTO/SB/08 (3 pgs)
Transmittal Letter
Copies of cited art (2).

Check No. 67291 in the amount of \$180.00
Postcard

Assignee: 2wire, Inc.

JUN 19 2006

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/941,358
		Filing Date	August 28, 2001
		First Named Inventor	Kwoktung B. Lo
		Art Unit	2157
		Examiner Name	Saleh Najjar
Total Number of Pages in This Submission	7	Attorney Docket Number	6491P042

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Copies of art (2). Return Postcard </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thomas S. Ferrell, Reg. No. 42,532 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	<i>Thomas Ferrell</i>
Date	9-22-04

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Janece Shannon		
Signature	<i>Janece Shannon</i>	Date	9/22/2004

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (MTR) 06/04/2004.
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JUN 19 2006

**FEE TRANSMITTAL
for FY 2004**

Effective 01/01/2004, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

180.00

Complete if Known

Application Number	09/941,358
Filing Date	August 28, 2001
First Named Inventor	Kwokhung B. Lo
Examiner Name	Saleh Najjar
Art Unit	2157
Attorney Docket No.	6491P042

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized for (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayment(s)
- ☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
- ☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	90	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES

Total Claims - 21 = X =

Independent Claims - 3 = X =

Multiple Dependent

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	13	2202	9	Claims in excess of 20	
1201	89	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple Dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

*or number previously paid, if greater. For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920	1804	920	* Requesting publication of SIR prior to Examiner action	
1805	1,840	1805	1,840	* Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1404	350	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1480	130	2480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(e)	
1806	180	1806	180	Submission of Information Disclosure Sheet	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1808	770	1808	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
* Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$)

180.00

180.00

SUBMITTED BY

Name (Print/Type)

Thomas S. Ferrill

Registration No.
(Attorney/Agent)

42,532

Telephone

(408) 720-8300

Signature

Thomas S. Ferrill

Date

9-22-04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (vtr) 02/10/2004
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22315-1450

JUN 19 2006

FEE TRANSMITTAL for FY 2004		<i>Complete if Known</i>	
Effective 01/01/2004. Patent fees are subject to annual revision.		Application Number	09/941,358
		Filing Date	August 28, 2001
		First Named Inventor	Kwoktung B. Lo
		Examiner Name	Saleh Najjar
		Art Unit	2157
		Attorney Docket No.	6491P042
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
TOTAL AMOUNT OF PAYMENT (\$) 180.00			

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																															
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account		3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>85</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>2053</td> <td>130</td> <td>2053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>820 *</td> <td>1804</td> <td>820 *</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840 *</td> <td>1805</td> <td>1,840 *</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>650</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1404</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>2451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - 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1501	1,330	2501	685	Utility issue fee (or reissue)																																																																																																																																																																																													
1502	480	2502	240	Design issue fee																																																																																																																																																																																													
1503	640	2503	320	Plant issue fee																																																																																																																																																																																													
1480	130	2480	130	Petitions to the Commissioner																																																																																																																																																																																													
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)																																																																																																																																																																																													
1808	180	1808	180	Submission of Information Disclosure Sheet	180.00																																																																																																																																																																																												
9021	40	9021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																													
1809	770	1809	285	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																													
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																													
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																																													
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																													
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1. BASIC FILING FEE <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1001</td> <td>770</td> <td>2001</td> <td>385</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1002</td> <td>340</td> <td>2002</td> <td>170</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1003</td> <td>530</td> <td>2003</td> <td>265</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1004</td> <td>770</td> <td>2004</td> <td>385</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005</td> <td>180</td> <td>2005</td> <td>80</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="6" style="text-align: right;"> SUBTOTAL (1) (\$) _____ </td> </tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	770	2001	385	Utility filing fee		1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	180	2005	80	Provisional filing fee		SUBTOTAL (1) (\$) _____						2. EXTRA CLAIM FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>18</td> <td>2202</td> <td>9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>1201</td> <td>88</td> <td>2201</td> <td>43</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>1203</td> <td>290</td> <td>2203</td> <td>145</td> <td>Multiple Dependent claim, if not paid</td> <td></td> </tr> <tr> <td>1204</td> <td>88</td> <td>2204</td> <td>43</td> <td>Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>1205</td> <td>18</td> <td>2205</td> <td>9</td> <td>Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="6" style="text-align: right;"> SUBTOTAL (2) (\$) _____ </td> </tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20		1201	88	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple Dependent claim, if not paid		1204	88	2204	43	Reissue independent claims over original patent		1205	18	2205	9	Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$) _____																																																																																																							
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*For number previously paid, if greater, For Reissues, see below

SUBMITTED BY		<i>Complete (if applicable)</i>	
Name (Print/Type)	Thomas S. Ferrill	Registration No. (Attorney/Agent)	42,532
Signature	<i>Thomas S. Ferrill</i>	Telephone	(408) 720-8300
		Date	7-22-04

Based on PTO/SB-17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/10/2004.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Docket No.: 6491P042

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

KWOKTUNG B. LO

Application No.: 09/941,358

Filed: August 28, 2001

For: **Customer Premises Equipment
Autoconfiguration**

Art Group: 2157

Examiner: Saleh Najjar

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). This IDS and IDS Citation Form are being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

The fee set in the amount of \$180.00 for submission of the Information Disclosure Statement is enclosed herewith. Please charge any additional fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


Thomas S. Ferrill, Reg. No. 42,532

Date: 9-22-04

12400 Wilshire Boulevard, 7th Floor
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Telephone: (408) 720-8300

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Janece Shannon

9/22/2004
Date

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application Number	09/941,358
				Filing Date	August 28, 2001
				First Named Inventor	Kwoktung B. Lo
				Art Unit	2157
				Examiner Name	Saleh Najjar
				Attorney Docket Number	6491P042
Sheet	1	of	1		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.†	include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T*	
		THOMAS STARR, JOHN M. CIOFFI and PETER SILVERMAN, "Understanding Digital Subscriber Line Technology", 1999 Prentice Hall PTR, Prentice-Hall, Inc., Chapter 14, pp. 391-418.		
		DR. WALTER Y. CHEN, "Macmillan Technology Series DSL Simulation Techniques and Standards Development for Digital Subscriber Line Systems", Macmillan Technical Publishing, Indianapolis, Indiana, 1998, Chapter 1, pages 7 & 8, Chapter 2, pages 16-19 and 23-28, Chapter 11, pages 327-331 and Chapter 13, pages 481-490.		

Examiner Signature	Date Considered
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

†Applicant's unique citation designation number. *Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/068 (06-03) as modified by Blakely, Solokoff, Taylor & Zeffman (w/rev) 05/11/2003.
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